



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 29 2019

OFFICE OF
GENERAL COUNSEL

Ms. Emma Best
Dept. 54688 411A Highland Avenue
Somerville, MA 02144

RE: Request Number: EPA-HQ-2018-008352

Dear Ms. Best:

This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA), Freedom of Information Office in which you are seeking emails containing the term "MuckRock" excluding emails sent to or from a MuckRock.com email address.

Your request does not reasonably describe the records you are seeking in a way that will permit EPA employees to identify and locate them. The EPA's FOIA regulations explain:

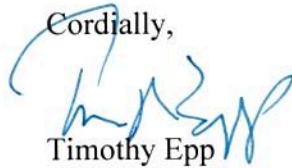
"Whenever possible, your request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter. If known, you should include any file designations or descriptions for the records that you want. The more specific you are about the records or type of records that you want, the more likely EPA will be able to identify and locate records responsive to your request." 40 C.F.R. § 2.102(c).

We sent you a letter dated August 10, 2018, providing you the opportunity to clarify your request by providing EPA with identity of custodians, time period for which you are seeking records, etc. We also provided information on how EPA can conduct a search for responsive records through Discovery services from our email system, Microsoft Office 365. In response to our request you replied: "Courts have explicitly found that this type of request is reasonable, and compelled compliance. Please note that your email system is also compatible with eDiscovery tools that make the search quite feasible." Accordingly, you declined to provide the information necessary for EPA to conduct an email search. Therefore, we are closing your request as not a proper request.

This letter concludes our response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the EPA's National FOIA Office, U.S. EPA, 1200

Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460 or through FOIAonline if you are an account holder. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1200 Pennsylvania Avenue, N.W., Room 5315, Washington, DC 20460. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek dispute resolution services from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; email, ogis@nara.gov; telephone, (202) 741-5770 or (877) 684-6448; or fax, (202) 741-5769.

Cordially,



Timothy Epp
Acting Director, National FOIA Office